

DEC 28 2007

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SANDRA ELIZABETH SANDOVAL-
DUARTE,

Petitioner,

v.

MICHAEL B. MUKASEY,** Attorney
General,

Respondent.

No. 06-73097

Agency No. A72-009-992

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted December 20, 2007***

Before: GOODWIN, WALLACE and HAWKINS, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** Michael B. Mukasey is substituted for his predecessor, Alberto R. Gonzales, as Attorney General of the United States, pursuant to Fed. R. App. P. 43(c)(2).

*** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Sandra Elizabeth Sandoval-Duarte, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an Immigration Judge's ("IJ") decision denying her applications for asylum, withholding of removal and cancellation of removal. To the extent we have jurisdiction it is conferred by 8 U.S.C. § 1252. We review for substantial evidence the agency's denial of asylum and withholding of removal. *See Lata v. INS*, 204 F.3d 1241, 1244 (9th Cir. 2000). We dismiss in part and deny in part the petition for review.

We lack jurisdiction to review the agency's discretionary determination that Sandoval-Duarte failed to show exceptional and extremely unusual hardship to a qualifying relative. *See Romero-Torres v. Ashcroft*, 327 F.3d 887, 890 (9th Cir. 2003).

Substantial evidence supports the agency's conclusion that Sandoval-Duarte failed to show her fear of future persecution is objectively reasonable, *see Rostomian v. INS*, 210 F.3d 1088, 1089 (9th Cir. 2000) (holding a claim based solely on widespread random violence or general civil strife is not sufficient to form a well-founded fear), or that any persecution would be on account of a protected ground, *see Ochoa v. Gonzales*, 406 F.3d 1166, 1171 (9th Cir. 2005)

(finding that alleged social group was too broad to qualify as a particularized social group).

PETITION FOR REVIEW DISMISSED in part; DENIED in part.